

Remarks

Claims 11, 12, 13, 14, 15, 16, 18, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32, 33, and 35 are amended. Claims 1-10, 17, 19, 20, 21, 34, and 36-49 are cancelled and Claims 50-55 are added. Applicants reserve the right to pursue the cancelled subject matter in one or more divisional applications. Claims 1, 20, 21, 34 and 46 are amended and rewritten as claims 50-55 to recite compounds that fall within the scope of the elected group and compounds that have closely related structures and similar technical features. The additional amendments are presented to correct minor typographical and grammatical errors. No new subject matter is added. The Examiner is requested to note that the amendment of the claims as presented herein does not surrender any equivalent to which the other substituents may be entitled. Accordingly, Applicant is entitled to a full range of equivalents upon issuance of the instant claims.

Restriction

Restriction has been requested from among the X Groups of claims set forth in the Office Action. Applicants elect the compounds of group I, without traverse.

The asserted grounds for separating the compounds of the invention into the groups, recited in the Office Action mailed on August 30, 2007, are that the claims lack a significant structural element qualifying as the social technical feature that defies a contribution over the prior art. Applicants submit that the inventions of Groups II, III, IV, V, etc., that remain in the amended claims are linked by a common technical feature, e.g., the generic structure represented by the second formula in claim 1. As amended, the claims only include a single generic structure. These compounds are all believed to have SIP activity. Accordingly, the groups are closely related to each other and form a single general inventive concept. Thus, it is respectfully submitted that the groups are linked so as to form a coherent invention and be properly examined together. Finally, applicants submit that a search for the compounds of the elected Group will reveal any documents relevant to the compounds of the remaining groups. As amended, the claims include 24 total claims and 2 independent claims (claims 31 and 50). The claims are directed to compounds and pharmaceutical compositions that include the compounds. If the

Examiner's position is that these claims cannot be examined together applicants request that a further restriction be issued that clearly indicates same.

Finally, applicants note that the Examiner states, at page 9, lines 1-2 that "this list [of groups] is not exhausted...". As the applicants ability to claim such subject matter in further applications is dependent upon the restriction of the claims into defined groups by the examiner it is respectfully requested that all the subject matter of the claims be delineated into groups in the next Office Action.

Summary

Favorable examination and allowance are respectfully requested. The Examiner is encouraged to telephone the undersigned attorney if there are any questions regarding this application.

Respectfully submitted,

KEVIN R. LYNCH ET AL.

Date: Nov. 30, 2007

By: William F. Prout

William F. Prout
Reg. No.: 33,995
IPLM Group, P.A.
Post Office Box 18455
Minneapolis, MN 55418
Telephone (612) 455-2564

WFP:adk